

REMARKS

Acceptance and entry of the amendment is solicited. Reconsideration of the claims indicated as reciting allowable subject matter is respectfully requested along with reconsideration of the objections to the drawings. The objection should be withdrawn when all of the figures, namely, Figures 1-3 are viewed as a whole.

Objection to the Drawings Cured

The drawings were objected to under 37 CFR 1.83(a). The drawings, namely Figures 1 and 2 when viewed together show every feature of the invention specified in the claims as now amended. Features shown in block form, namely end module 18 in Figure 1 of the drawings have the battery and switch detailed with common connection points 14a and 14b shown specifically in Figure 3 of the drawings. When the drawings are viewed and taken as a whole consisting of all of the Figures presented all of the features suggested as not shown are indeed shown since Figure 3 is a break-out of the end module 19 as connected to the end cap 9, shown with the same numerals in Figs. 1 and 3. The objectionable language "*switch module at a distal end of the tubular section*" (Claim 1) has been amended to read

an end module, the end module having a power supply and switch, the end module located at a distal end of said non-conducting tubular section-- (amended claim 2, shown in Fig. 1 with details shown in Fig. 3). These features are indeed displayed in the drawings as a whole. Referring to page 10, line 12 there is recited:

At its distal end, an insulated insert 16 includes an end module 18 having battery 18a connected to a normally open switch 18b. The end module 18 contains the battery 18a and switch 18b, parts of the circuit shown in Fig. 3 and is fitted into the distal end of the tubular section 12.

The switch 18b is recited as a "switch" incorporated into the "end module 18". Thus, applicant has obviated the objection regarding the recitation "*switch module at a distal end of the tubular section*".

With regard to the objection to drawings because of the recitation "a switch member" in Claim 15, "member" has been deleted. The specification at page 10, lines 15-16, refers to a "switch 18b" as a part of the circuit shown in Fig. 3. This circuit is inside the end module 18 but for sizing purposes has the circuitry of the module 18 shown in detail in Fig. 3.

The reference to "a plastic coated helix coil" in claim 12 is a limitation on the recitation of the inductor 11 shown in Figure 3. The inductor 11 shown in Fig. 3 is a "helix coil". Since a "plastic coating" is not shown, this aspect of the recitation has been deleted to obviate the objection to the claim and to the drawings. It is clearly indicated in the specification at page 8, lines 23-24 that the inductor 11 shown in Fig. 3 as a helix coil can be "made of wire having an electrically insulating coating" and so this language has been substituted.

No new matter has been entered. The foregoing amendments have been made in a good faith effort to obviate an unnecessary correction of the drawing sheets. If these substantive changes are not acceptable by the Examiner, it is requested that the Examiner call and attempt to settle the matter by Examiner's amendment. The undersigned attempted to call the Examiner on Friday, May 27, 2005 for clarification of the objection but was unable to reach him at his new phone number.

Claim Objections Cured

Claims 3 and 11 were objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant has amended these claims to place the claims in proper dependent form.

Claims 9-16 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been cancelled. Claim 19 now recites "*a switch*" (as shown in figures 1 and 3) and claim 15 also recites "*a switch*" as shown in Fig. 1 in conjunction with Fig. 3.

"Switch member" has been amended. It is clearly explained how "the switch" and the end module 18 with the switch 18b is attached to the distal end of the tubular section on page 10, lines 15-20.

Explanation of the meaning of the phrase *"a compact electromagnetic tool securable to a magnetic object"* (claims 9 and 13) is now moot in view of the removal of this language from Claim 9 and the cancellation of claim 13. Further, the exact meaning of the phrase *"insetting the tubular section into a compact electromagnetic tool in a friction fit"* is moot. This language has been amended to recite that the connections are frictional engagements.

The lack of antecedent basis for "said stop cap" (claim 11) or "said compact electromagnetic tool" (claim 12) has been obviated by cancellation of these terms. It is noted that claim 12 depends on claim 8 and a limitation "a compact electromagnetic tool" was recited in claim 9 before this amendment. Claim 12 has been amended to depend on claim 9 (instead of claim 8).

Moot Claim Rejections - 35 USC § 103

Claims 1, 13, and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over O'Kane et al. (5,615,920) (see PTO-892) in view of Twachtman (2,993,723). These claims have been cancelled. The rejection is moot.

Claims Reciting Allowable Subject Matter

Claims 2-8 were objected to as being dependent upon rejected base claim 1. These claims are now allowable. Claim 2 has been rewritten in independent form including all of the limitations of the base claim.

Claims 9-12 and 14-16 are now allowable. They have been rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and include all of the limitations of the base claim and any intervening claims.

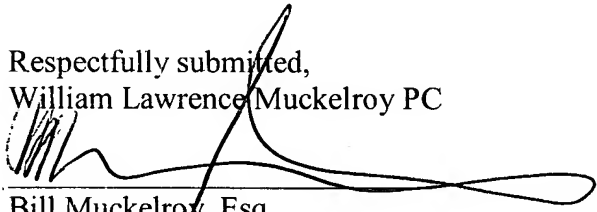
Claim 19 is now allowable. It has been rewritten and amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The prior art made of record has been reviewed and the amended claims claim subject matter neither suggested nor anticipated by this art. None of this art whether viewed singly or in combination or as combined suggests or intimates the inventions recited in the re-presented amended claims.

Prompt issuance of a notice of allowance for remaining amended claims and specification of the base issue fee due are requested.

Applicant wishes to thank the Examiner for his precise and thorough review of the prior art and for the suggestions regarding allowable subject matter.

Respectfully submitted,
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Enclosures: Certificate of mailing; petition (1 month); attorney's ck# 2261 for fee

Cc: client

CERTIFICATE OF MAILING

I hereby certify that on May 27, 2005 this Amendment B with accompanying documents [a] certificate of mailing; (b) petition for 1 month extension with fee, is being deposited with the United States Postal Service with sufficient postage affixed for remittance as first class mail in an envelope addressed to:

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Honorable Commissioner of Patents

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Typed or printed name of person signing this certificate: Irene Christine

Signature: Irene Christine